

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ALEXANDER NELSON,)
Petitioner,)
v.) **No. 4:06CV00101 DDN**
JENNIFER M. JOYCE, et al.,)
Respondents.)

ORDER AND MEMORANDUM

This matter is before the Court upon the amended petition of Alexander Nelson, an inmate at the St. Louis City Justice Center, for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.¹ Liberally construing petitioner's amended petition, it appears that he asserts that respondents violated his Fourteenth Amendment due process and equal protection rights. Petitioner alleges that the Court lacked jurisdiction and that he was not afforded a speedy trial. He also raises claims of, *inter alia*, ineffective assistance of counsel, double jeopardy, illegal search and seizure, intimidation of witnesses and conspiracy.

Upon review of the amended petition, the Court finds no indication that petitioner has previously presented his claims to a Missouri state court. In the absence of exceptional circumstances, a state prisoner must exhaust currently available and adequate state remedies before invoking federal habeas corpus jurisdiction. *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484 (1973). State remedies are ordinarily not considered exhausted if an individual may effectively present his claim to the state courts by any currently available and adequate procedure.

¹The Court's records reflect that petitioner paid the \$5.00 filing fee to initiate a habeas corpus action on February 15, 2006.

The State of Missouri provides habeas corpus relief for prisoners in its custody. *See* Rev. Mo. Stat. § 532.010 (1994), Missouri Supreme Court Rule 91.01). As such, petitioner has available procedures that he must exhaust.

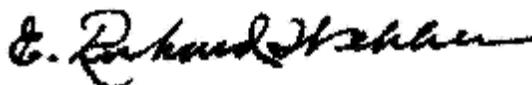
Therefore,

IT IS HEREBY ORDERED that no order to show cause shall issue as to the respondents because petitioner has failed to exhaust his available state remedies.

IT IS FURTHER ORDERED that petitioner's amended petition for a writ of habeas corpus be **DENIED**.

An appropriate order shall accompany this memorandum and order.

So Ordered this 3th Day of March, 2006.



E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE